

MERCHANT & GOULD P.C.

United States Patent Application**DECLARATION**

As a below named inventor, we hereby declare that: our residences, post office addresses and citizenships are as stated below next to our names; that

We verily believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled COUNTERACTING GAS INGESTION IN A HYDRODYNAMIC BEARING SPINDLE MOTOR, the specification of which is attached hereto OR [filed on _____ and identified in the U.S. Patent and Trademark Office as Serial No. ____].

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (described hereinbelow).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. no such applications have been filed.
- b. such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

We hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

We hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/446,806	12 February 2003

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Martin	First Given Name Steve	Second Given Name Robert
0	Residence & Citizenship	City Louisville	State or Foreign Country Colorado	
1	Post Office Address	Post Office Address 1005 Honeysuckle Ln.	Country of Citizenship USA	
Signature of Inventor 201: <i>Steve Martin</i>			Date:	7/24/03
2	Full Name Of Inventor	Family Name Herbst	First Given Name James	Second Given Name Arthur
0	Residence & Citizenship	City Longmont	State or Foreign Country Colorado	
2	Post Office Address	Post Office Address 2531 Stratford Ln.	Country of Citizenship USA	
Signature of Inventor 202: <i>James Arthur Herbst</i>			Date:	7/23/03
2	Full Name Of Inventor	Family Name Heiney	First Given Name Eric	Second Given Name Neal
0	Residence & Citizenship	City Loveland	State or Foreign Country Colorado	
3	Post Office Address	Post Office Address 6204 Kelly Beth Ct.	Country of Citizenship USA	
Signature of Inventor 203: <i>Eric Neal Heiney</i>			Date:	7/23/03

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Steve Robert Martin, James Arthur Herbst, Eric Neal Heiney		
Serial No.:		Examiner:	
Filed:	Herewith	Group Art Unit:	
Title:	COUNTERACTING GAS INGESTION IN A HYDRODYNAMIC BEARING SPINDLE MOTOR		
Docket:	STL11269/40046.0246USU1		

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above identified application, all powers of attorney previously given are hereby revoked and the following practitioners/patent agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Shawn B. Dempster, Registration No. 34,321	Raghunath S. Minisandram, Registration No. 38,683
Derek J. Berger, Registration No. 45,401	Mitchell K. McCarthy, Registration No. 38,794
Kirk A. Cesari, Registration No. 47,479	Carol I. Bordas, Registration No. 37,284
Paul T. Dietz, Registration No. 38,858	Jennifer M. Buenzow, Registration No. 50,124
David K. Lucente, Registration No. 36,202	Joseph F. Villella, Jr., Registration No. 30,599
Jesus Del Castillo, Registration No. 51,604	Brendan Hanley, Registration No. 52,429

And members of the firm of Merchant & Gould P.C.

Ali, M. Jeffer	Reg. No. 46,359	Hamre, Curtis B.	Reg. No. 29,165
Altera, Allan G.	Reg. No. 40,274	Hennings, Mark	Reg. No. 48,982
Anderson, Gregg I.	Reg. No. 28,828	Hertzberg, Brett A.	Reg. No. 42,660
Batzli, Brian H.	Reg. No. 32,960	Hillson, Randall A.	Reg. No. 31,838
Beard, John L.	Reg. No. 27,612	Hope, Leonard J.	Reg. No. 44,774
Berns, John M.	Reg. No. 43,496	Hornsby, III, Alton	Reg. No. 47,299
Blackburn, Murrell W.	Reg. No. 50,881	Jacobson, Charles A.	Reg. No. 53,061
Bortolotti, Rebecca	Reg. No. 51,488	Johns, Nicholas P.	Reg. No. 48,995
Branch, John W.	Reg. No. 41,633	Johnston, Scott W.	Reg. No. 39,721
Brown, Jeffrey C.	Reg. No. 41,643	Kalinsky, Robert A.	Reg. No. 50,471
Bruess, Steven C.	Reg. No. 34,130	Kelly, Zachary J.	Reg. No. 53,108
Burke, John E.	Reg. No. 35,836	Kettelberger, Denise	Reg. No. 33,924
Byrne, Linda M.	Reg. No. 32,404	Keys, Jeramie J.	Reg. No. 42,724
Campbell, Keith	Reg. No. 46,597	Knearl, Homer L.	Reg. No. 21,197
Clifford, John A.	Reg. No. 30,247	Korver, Joshua W.	Reg. No. 51,894
Cook, Jeffrey	Reg. No. 48,649	Kowalchyk, Alan W.	Reg. No. 31,535
Daignault, Ronald A.	Reg. No. 25,968	Kowalchyk, Katherine M.	Reg. No. 36,848
Daley, Dennis R.	Reg. No. 34,994	Lamberty, Michael	Reg. No. 50,760
Daley, William J.	Reg. No. 52,471	Larson, James A.	Reg. No. 40,443
Daulton, Julie R.	Reg. No. 36,414		
DeVries Smith, Katherine M.	Reg. No. 42,157		
DiPietro, Mark J.	Reg. No. 28,707		
Doscotch, Matthew A.	Reg. No. 48,957		
Edell, Robert T.	Reg. No. 20,187		
Epp Ryan, Sandra	Reg. No. 39,667		
Fitzsimmons, Karen A.	Reg. No. 50,470		
Gadiano, Christina M.	Reg. No. 37,628		
Gaffney, Matthew M.	Reg. No. 46,717		
Goggin, Matthew J.	Reg. No. 44,125		
Golla, Charles E.	Reg. No. 26,896		
Gorman, Alan G.	Reg. No. 38,472		
Gotfredson, Garen J.	Reg. No. 44,722		
Gould, John D.	Reg. No. 18,223		
Gregson, Richard	Reg. No. 41,804		
Gresens, John J.	Reg. No. 33,112		
Haack, John L.	Reg. No. 36,154		

Lauer, Deakin T.	Reg. No. 47,892	Sebald, Gregory A.	Reg. No. 33,280
Leach III, Thomas J.	Reg. No. P-53,188	Skoog, Mark T.	Reg. No. 40,178
Leonard, Christopher J.	Reg. No. 41,940	Sorge, Keith M.	Reg. No. 50,865
Lewis, George C.	Reg. N . 53,214	Stewart, Alan R.	Reg. No. 47,974
Liepa, Mara E.	Reg. No. 40,066	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
McDonald, Daniel W.	Reg. No. 32,044	Sullivan, Timothy	Reg. No. 47,981
McIntyre, Jr., William F.	Reg. No. 44,921	Swenson, Erik G.	Reg. No. 43,147
Mueller, Douglas P.	Reg. No. 30,300	Tellekson, David K.	Reg. No. 32,314
Nelson, Anna M.	Reg. No. 48,935	Trembath, Jon R.	Reg. No. 38,344
Parsons, Nancy J.	Reg. No. 40,364	Tunheim, Marcia A.	Reg. No. 42,189
Pauly, Daniel M.	Reg. No. 40,123	Underhill, Albert L.	Reg. No. 27,403
Peterson, Kyle T.	Reg. No. 46,989	Vidovich, Kristin K.	Reg. No. 41,448
Phillips, John B.	Reg. No. 37,206	Wahl, John R.	Reg. No. 33,044
Pino, Mark J.	Reg. No. 43,858	Welter, Paul A.	Reg. No. 20,890
Qualey, Terry	Reg. No. 25,148	Whitaker, John E.	Reg. No. 42,222
Randall, Joshua N.	Reg. No. 50,719	Wiegand, Jamie	Reg. No. 52,361
Reich, John C.	Reg. No. 37,703	Wier, David D.	Reg. No. 48,229
Rceland, Earl D.	Reg. No. 25,767	Williams, Douglas J.	Reg. No. 27,054
Roath, Paul D.	Reg. No. 45,045	Withers, James D.	Reg. No. 40,376
Schmaltz, David G.	Reg. No. 39,828	Wong, Bryan A.	Reg. No. 50,836
Schuman, Mark D.	Reg. No. 31,197	Wong, Thomas S.	Reg. No. 48,577
Schumann, Michael D.	Reg. No. 30,422	Xia, Tim Tingkang	Reg. No. 45,242
Scull, Timothy B.	Reg. No. 42,137	Zeuli, Anthony R.	Reg. No. 45,255

CHANGE OF ATTORNEY'S/AGENT'S ADDRESS IN APPLICATION

Merchant & Gould P.C.
 P.O. Box 2903
 Minneapolis, MN 55402-0903

STATEMENT UNDER 37 CFR 3.73(b)

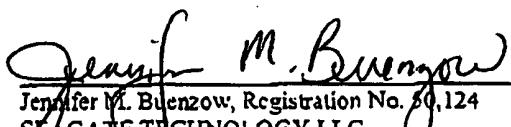
Seagate Technology LLC states that it is the Assignee of Entire Interest in the patent application/patent identified above by virtue of an Assignment from the inventor(s) of the patent application/patent identified above. A copy of the Assignment is attached. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Respectfully submitted,

SEAGATE TECHNOLOGY LLC
 (Assignee of Entire Interest)

24 July 2003

Date



Jennifer M. Buenzow, Registration No. 30,124
 SEAGATE TECHNOLOGY LLC
 Intellectual Property - SHK2LG
 1280 Disc Drive
 Shakopee, MN 55379
 (952) 402-3436
 (952) 402-2657 - Fax